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1 - Editorial: Don't raid the state's clean air fund, Dallas MN, 4/8/13

<http://www.dallasnews.com/opinion/editorials/20130407-editorial-dont-raid-the-states-clean-air-fund.ece>

Summary: Austin's latest assault is HB 7, currently in the House Appropriations Committee. Sponsored by state Rep. Drew Darby, R-San Angelo, the bill would divert about \$100 million from the Texas Emissions Reduction Plan to patch a gaping hole in the state's highway construction fund.

2 - Fracking coalition upsets both greens and drillers, ABCNews, 4/7/13

<http://abcnews.go.com/US/wireStory/fracking-coalition-upsets-greens-drillers-18901474>

Summary: PITTSBURGH-Like a marriage the in-laws don't approve of, a new plan to strengthen standards for fracking is creating unusual divisions among environmentalists and supporters of the oil and gas industry.

3 - End in sight for marathon pollution trial in NH, ElPasoTimes, 4/7/13

http://www.elpasotimes.com/texas/ci_22973947/end-sight-marathon-pollution-trial-nh

Summary: Lawyers for Exxon Mobil counter that MTBE was used to comply with federal Clean Air Act requirements to reduce smog. They also blame any lingering contamination on third parties not named in the state's decade-old lawsuit.

4 - Chemistry conference discusses food, oil, myriad of other subjects in New Orleans, NOLA, 4/5/13

http://www.nola.com/science/index.ssf/2013/04/chemistry_conference_discusses.html#incart_river

Summary: A world-class array of chemical science will be unveiled in New Orleans beginning Sunday, as more than 14,000 scientists gather for the American Chemical Society's 245th national meeting and exhibition.

5 - Kirtland spill still heading to ABQ?, ABJ, 4/5

<http://www.abqjournal.com/main/2013/04/05/news/kirtland-spill-still-heading-to-abq.html>

Summary: The New Mexico Environment Department believes contamination from a Kirtland Air Force Base fuel spill may still be moving toward Albuquerque drinking water wells, and has called on the Air Force to step up its monitoring and cleanup efforts.

6 - Protest seeks Asarco demolition delay, ElPasoTimes, 4/5/13

http://www.elpasotimes.com/news/ci_22958297/protest-seeks-asarco-delay

Summary: A group of El Paso and Juárez residents came together on Thursday to call for a halt to the demolition of the Asarco smokestacks until more information related to environmental testing and monitoring is made public.

7 - East El Paso community fights power plant, ElPasoInc, 4/7/13

http://www.elpasoinc.com/news/local_news/article_b8e1457c-9f98-11e2-a35c-0019bb30f31a.html

Summary: When Ralph Carrasco was considering adding a chimney to his new home in Far East El Paso County's Montana Vista subdivision in November, he got some startling news from his builder, and it was not about the estimated price of the project. The area's electric utility was looking to set up shop less than a half-mile from his house.

8 - Arkansas residents seek millions after Exxon crude oil spill, NBCNews,

<http://www.nbcnews.com/business/arkansas-residents-seek-millions-after-exxon-crude-oil-spill-1C9254722#/business/>

Summary: Two Arkansas residents filed a class action lawsuit against Exxon Mobil Friday, demanding to be compensated for damages after a crude oil pipeline ruptured the week before in their subdivision outside Little Rock, Ark.

9 - Sinkhole commission discusses public safety, long-term goals for Bayou Corne residents, NOLA, 4/5/13

http://www.nola.com/news/baton-rouge/index.ssf/2013/04/sinkhole_commission_jindal.html#incart_river

Summary: A 13-member committee comprised of industry experts and scientists from around the world held their first meeting Friday to discuss how the Blue Ribbon Commission is going to tackle a 13-acre sinkhole that has forced the evacuation of 350 residents of a rural bayou town in Assumption Parish.

10 - Mayor Nelda Martinez urges input on plan for BP settlement money, Caller, 4/7/13

<http://www.caller.com/news/2013/apr/07/mayor-nelda-martinez-urges-input-on-plan-for-bp/?partner=popular>

Summary: CORPUS CHRISTI — Mayor Nelda Martinez has scheduled a meeting to hear ideas on how to spend the anticipated windfall produced by the Deepwater Horizon lawsuit settlement.

11 - West Texas wind power transmission project nears completion, DMN, 4/5/13

<http://www.dallasnews.com/business/energy/20130405-west-texas-wind-power-transmission-project-nears-completion.ece?action=reregister>

Summary: The construction of more than 3,500 miles of high-voltage transmission lines for wind energy is nearly complete, but with cost overruns and fewer wind generation projects than originally projected, the \$6.8 billion soon to be borne by ratepayers is again falling under criticism.

12 - Reporters Say Exxon Is Impeding Spill Coverage in Arkansas, MotherJones, 4/5/13

<http://www.motherjones.com/blue-marble/2013/04/reporters-say-exxon-impeding-spill-coverage-arkansas>

Summary: Reporters covering the oil spill from ExxonMobil's Pegasus pipeline in Mayflower, Arkansas, are reporting that they've been blocked from the site and threatened with arrest.

13 - Moniz's Commitment to Renewables Questioned in Light of Energy Industry Ties, BNA, 4/8/13

http://esweb.bna.com/eslw/1245/split_display.adp?fedfid=30305632&vname=dennotallissues&jd=a0d7d3w9q2&split=0

Summary: Ernest J. Moniz, President Obama's nominee for energy secretary, served as a consultant to oil company BP and has other ties to the energy industry, leading some environmental advocates and others to question his commitment to renewable energy.

14 - EPA Weighs Research Options For Potential Coarse PM NAAQS Revision, Inside EPA, 4/8/13

<http://insideepa.com/201304082430216/EPA-Daily-News/Daily-News/epa-weighs-research-options-for-potential-coarse-pm-naaqs-revision/menu-id-95.html>

Summary: EPA is assessing research options to address lingering scientific uncertainties over coarse particulate matter (PM10) emissions that could inform a potential revision to the agency's PM10 national ambient air quality standard (NAAQS), after EPA last year decided to retain its PM10 standard first set in 1987 in part due to the data uncertainties.

News Headline: Editorial: Don't raid the state's clean air fund | 📧

News Date: 4/8/2013

Outlet Full Name: Dallas Morning News - Online

News Text: We're not quite sure what part of "dedicated clean air funds" state budget makers don't comprehend, but once again some want to raid this cash box for other purposes.

Austin's latest assault is HB 7, currently in the House Appropriations Committee. Sponsored by state Rep. Drew Darby, R-San Angelo, the bill would divert about \$100 million from the Texas Emissions Reduction Plan to patch a gaping hole in the state's highway construction fund.

A dishonest bait-and-switch budget gimmick, the diversion would be a disservice to taxpayers. It also would dangerously undercut one of the state's most effective air quality initiatives. Since its creation in 2001, the emissions program has used money collected from vehicle title and other fees to subsidize truckers and other operators in replacing older, nitrogen oxide-spewing diesel engines that contribute to ground-level ozone. Without financial help, many diesel operators likely would keep dirty engines spewing for years, significantly worsening ozone and other pollution-related health problems all across Texas.

Why mess with success? Over the past decade, the program has helped retire more than 14,700 diesel vehicles and pieces of equipment, resulting in the elimination of nearly 165,000 tons of nitrogen oxides, including more than 64.4 tons per day last year. It's not as though the state's ozone problem is solved. The D-FW area remains in violation of federal clean air standards, and other major population centers like Houston and San Antonio face emissions challenges that these funds could help allay.

And it's not as though the \$100 million would do much for highways. It's not enough to fund even a highway interchange, let alone make a dent in the state's massive transportation needs.

It is enough, however, to make a difference in air quality, an economic-development and public-health battle from which the state mustn't retreat. About a quarter of North Texas' ozone problems stem from diesel engines used in hydraulic fracturing and for other off-road industrial purposes. All of this cries out for more money for this clean air program, not less.

Texas has a serious highway funding problem that it must address. Trading air quality funds for new highway construction is an unacceptable exchange.

News Headline: Fracking coalition upsets both greens and drillers |  

News Date: 4/7/2013

Outlet Full Name: El Paso Times - Online

News Text: By

KEVIN BEGOS Associated Press

Associated Press

Posted:

04/07/2013 12:02:13 PM MDT

PITTSBURGH-Like a marriage the in-laws don't approve of, a new plan to strengthen standards for fracking is creating unusual divisions among environmentalists and supporters of the oil and gas industry.

At first glance, it's hard to fathom all the angst over the Pittsburgh-based Center for Sustainable Shale Development. Environmental groups, foundations, and major oil and gas companies came together to support stringent measures to protect air and water from pollution in the Appalachian region, and they invited other groups to join in and help limit pollution from fracking.

Not everyone was flattered by the invitation.

"WHOOO-HOOO, Frackers and Environmentalists collaborate!" noted the anti-drilling website No Fracking Way, in a post titled "Fracking Center and Fluffy Kittens."

The Sierra Club called the new plan "akin to slapping a Band-Aid on a gaping wound," and a coalition of grass-roots groups called No Frack Ohio claimed that the plan "simply puts green lipstick on a pig."

The fight is so toxic in part because fracking has become a symbol for the even bigger debate over climate change. Both sides see a historic crossroads, like an energy version of D-Day or Waterloo, in which the winner will determine energy and climate policy for decades to come.

One side envisions an immediate, all-out embrace of renewable energy and a virtual boycott of all fossil fuels. The other says that whether we like it or not, the transition

to renewables will take decades, and in the meantime, we need to use technology and new partnerships to make fracking as safe and clean as possible.

The pro-drilling Marcellus Drilling News website wrote that if energy companies such as Shell and Chevron "want to craft an organization that compromises (too far) with eco-nuts, go right ahead and disadvantage yourselves. But don't require everyone else to follow your lead."

Some drilling companies politely said they aren't joining the new coalition, either.

"No," Range Resources spokesman Matt Pitzarella wrote in an email to The Associated Press, though he added they "commend the groups for coming together."

In Pennsylvania, which has more new shale gas wells than other states in the region, four of the top ten drillers have signed on with the center-meaning six haven't.

One expert suggested that the idea of peace between environmentalists and energy companies threatens extremists on both sides of the fracking debate.

"As moderates in the gas industry and in the environmental community work together more in coming years to improve drilling practices, I think you will see the extremes in both camps become increasingly marginal and isolated, and I think that's a good thing," environmentalist Michael Shellenberger wrote in an email. Shellenberger isn't a part of the shale partnership, but he supports the idea.

Other commentators see promise in opposing sides working together, too.

The Washington Post editorial board called the new plan "a heartening breakthrough in the war over fracking" whose new rules are "a large step toward striking the right balance, and everyone involved deserves credit."

During fracking, large volumes of water, along with sand and hazardous chemicals, are injected into the ground to break rock apart and free the oil and gas. In some places, the practice has been blamed for air pollution and gas leaks that have ruined well water, but the Obama administration and many state regulators say the practice is safe when done properly.

The Pittsburgh-based Heinz Endowments is providing some of the funding for the Center for Sustainable Shale Development, and it has also provided significant funding

to groups and researchers that are critical of fracking.

Foundation President Robert Vagt wrote in an email that isolating extreme voices may be "a secondary consequence" of the new plan, but that's not the focus.

"Our sole motivation at The Heinz Endowments-one I believe is shared by all CSSD partners-is to engage directly the challenges of developing" shale oil and gas, "which are being argued primarily in sound bites for the media rather than in constructive dialogue."

"The consistent approach of CSSD has been to use the best science and available technology to develop standards that protect the environment," Vagt said.

In addition to Shell, Chevron and the Heinz Endowments, the participants in the new center include the Environmental Defense Fund, the Clean Air Task Force, CONSOL Energy, PennFuture and other groups.

The center aims to work much like Underwriters Laboratories, which puts its familiar UL seal of approval on electrical appliances that meet its standards.

Drilling companies will be encouraged to submit to an independent review of their operations. If they are found to be abiding by a list of 15 stringent measures, they will receive the center's blessing. The new group says that it will be transparent and release the names of those who apply for the certification, starting later this year, and that the program is meant to compliment state and federal regulations, not replace them.

The project will cover Pennsylvania, West Virginia and Ohio, where a frenzy of drilling is under way in the huge, gas-rich Marcellus and Utica shale formations. If fracking is approved in New York and Maryland, which have put a hold on new drilling, it could apply there, too.

For now, some environmental groups and drillers are waiting and seeing, or politely declining.

The Natural Resources Defense Council hasn't yet considered being a part of the center, spokeswoman Kate Slusark wrote in an email.

"Broadly speaking, voluntary programs like this one have the potential to help raise standards for companies that participate," Slusark noted, while adding that there is a "dire need" for federal and state fracking rules that apply to all energy companies.

William Chameides, dean of Duke University's school of the environment, said he is withholding judgment until more details are available.

"It never hurts to talk. It never hurts to negotiate," Chameides said. "In general, I see this as a positive development but as in most things the devil is in the details."

News Headline: End in sight for marathon pollution trial in NH | 📰 📧

News Date: 4/7/2013

Outlet Full Name: El Paso Times - Online

News Text: Lawyers for the state want jurors to hold Exxon Mobil liable to the tune of \$240 million to monitor and clean up wells and public water systems contaminated by the gasoline additive MTBE, or methyl tertiary butyl ether.

Lawyers for Exxon Mobil counter that MTBE was used to comply with federal Clean Air Act requirements to reduce smog. They also blame any lingering contamination on third parties not named in the state's decade-old lawsuit.

Each side will get three hours to make its case Monday.

If the court keeps to the schedule outlined last week, the jury won't begin its deliberations until Tuesday. That's when Superior Court Judge Peter Fauver plans to instruct the 15 jurors on the law and randomly select the three who will become alternate jurors before sending the panel of 12 behind closed doors.

Lawyers who were in court last week hammering out final details made clear that the jury's verdict won't be the final word in the case. Both sides indicated they were laying the groundwork for an appeal.

The trial began Jan. 14 and testimony ended March 27, making it the longest in state history. Court Clerk Bill McGraw said the Claremont school funding challenge of the 1990s—the trial's

The jurors were chosen from a pool of 500 people who were sent 22-page jury questionnaires last October. The lawyers eliminated those whose principal source of drinking water is a well. McGraw said jury selection was biggest logistical challenge.

"That was the cow the python had to swallow," he said of the number of prospective jurors brought in and the coordination needed to question them.

The jury will have more than 450 exhibits to view in the deliberations room while it mulls the testimony of scores of witnesses—some of them on videotape.

The jury will be asked to determine whether MTBE is a defective product and whether Exxon Mobil failed to warn its distributors and vendors about the characteristics and care needed in handling gasoline containing it.

MTBE, experts on both sides agreed, travels farther and faster in groundwater and contaminates larger volumes of water than gasoline without the additive.

If jurors find Exxon Mobil is liable for damages, they must then determine what was the oil giant's market share of all gasoline sold in New Hampshire between 1988 and 2005. The state contends it was 30 percent; Exxon Mobil says it's closer to 6 percent.


The state banned MTBE in 2007.

Lawyers for Irving, Texas-based Exxon Mobil claim state environmental officials knew or should have known about the contaminating qualities of MTBE. The judge refused to allow them to use a picture of two ostriches with their heads in the sand as a graphic during closing arguments.

Exxon Mobil is the sole remaining defendant of the 26 the state sued in 2003. Citgo was a co-defendant when the trial began, but it began settlement negotiations with the state on day two and withdrew from the trial. Citgo ultimately settled for \$16 million—bringing the total the state has collected in MTBE settlement money to \$136 million.

McGraw said last week the trial went more smoothly than anticipated and wrapped up earlier than expected.

"I'm sure the jurors are happy not to be here through July," he said.

News Headline: Chemistry conference discusses food, oil, myriad of other subjects in New Orleans | 

News Date: 4/5/2013

Outlet Full Name: Times-Picayune - Online

News Text: By Mark Schleifstein, NOLA.com | The Times-Picayune

on April 05, 2013 at 3:33 PM, updated April 05, 2013 at 3:54 PM

A world-class array of chemical science will be unveiled in New Orleans beginning Sunday, as more than 14,000 scientists gather for the American Chemical Society's 245th national meeting and exhibition.

View full size The American Chemical Society's 245th national conference meets in New Orleans with the theme, "CHEF - The Chemistry of Energy and Food." American Chemical Society

The five-day conference will feature the results of 12,000 scientific studies involving chemistry on topics ranging from astronomy to zoology. Its sessions will be held at the Ernest N. Morial Convention Center and at a number of hotels in downtown New Orleans.

The American Chemical Society, the world's largest scientific society, looks for themes for its national meetings that mesh with the host city, explained president Marinda Li. For New Orleans, the group chose the chemistry of energy and food.

One of the conference's sessions, "The Chemistry of the Bar," features scientific papers on "Chemistry of the Hurricane cocktail," an explanation of the volatile chemicals that make up the flavors of the potent drink; and "Chemistry and anatomy of a hangover," an explanation of how acute alcohol intoxication can affect the liver, brain, gastrointestinal system and the central nervous system.

The food-themed presentations also will focus on an emerging problem of lead-contaminated rice being imported into the United States, and how the world's farming and food suppliers will cope with an expected increase in population that could total 10 billion people by 2030.

The conference also features a series of scientific papers on the effects of the BP Gulf oil spill, including explanations of why the spill's effects are lingering in Louisiana wetlands, and how microbes in the deepwater Gulf of Mexico ate a significant part of the

oil that never made it to the surface after being released 40 miles offshore.

Other topics to be focused on include medicine, health, global climate change, sustainable supplies of clean drinking water, new materials, electronics, and new, sustainable sources of energy.

Several dozen of the scientific papers feature work by researchers at Louisiana universities, including Louisiana State University, Tulane, Xavier, McNeese State, and Centenary College.

The program also features the work of nine Nobel laureates.

Several papers will focus on the use of algae as a source of biofuels, including the use of genes from the family of bacteria that produce vinegar and Kombucha tea to turn algae into tiny factories to produce nanocellulose, which can also be used to produce materials that are stronger than steel and stiffer than bullet-shielding Kevlar.

Another panel will feature a presentation on new electronic devices that can be implanted into the body to relieve pain or battle infection for short times, and then dissolve without harmful effects.

A symposium on the use of chemistry in archaeology features a presentation describing the comparison of ink used in an ancient Egyptian marriage certificate with the ink found on a controversial scroll containing the "Gospel of Judas." That scroll, written in the Egyptian Coptic language suggests that Jesus requested that Judas betray him to Roman authorities.

News Headline: Kirtland spill still heading to ABQ? |  

News Date: 4/5/2013

Outlet Full Name: Albuquerque Journal - Online

News Text: Friday, Apr 5, 2013 RELATED CATEGORIES News Science

Kirtland spill still heading to ABQ?

By John Fleck / Journal Staff Writer on Fri, Apr 5, 2013

The New Mexico Environment Department believes contamination from a Kirtland Air Force Base fuel spill may still be moving toward Albuquerque drinking water wells, and has called on the Air Force to step up its monitoring and cleanup efforts.

In a March 27 letter, the Environment Department called the southeast Albuquerque spill, one of dozens of industrial contamination sites around New Mexico monitored by the agency, "the most significant groundwater contamination site in New Mexico."

The Environment Department rejected an Air Force proposal to abandon a part of its cleanup effort, which Kirtland officials had argued was unnecessary because the groundwater contamination was "stable" _ no longer moving toward drinking water wells.

Kirtland base commander Col. John Kubinec issued a statement saying the Air Force "will continue to work with the New Mexico Environment Department to determine their expectations and ensure we are in compliance."

In November, then-Environment Department Resource Protection Division Chief Jim Davis told the Albuquerque Bernalillo County Water Utility Authority board of directors new tests suggested the fuel spill had reached equilibrium, no longer spreading through the groundwater, and that the risk it would reach drinking water wells beneath southeast Albuquerque "is relatively small."

Davis has since retired. In a March 18 letter to water utility board member Maggie Hart Stebbins his replacement, acting division chief Thomas Skibitski, said the agency believes the most dangerous part of the contamination plume is still moving toward the utility's wells.

Jim Winchester, spokesman for Environment Secretary David Martin, declined further comment, saying the department's written correspondence speaks for itself.

Kirtland officials discovered in 1999 that an underground aviation fuel line had been leaking, possibly for decades. Subsequent investigation found that the fuel _ possibly millions of gallons that leaked over the decades _ had reached Albuquerque groundwater some 500 feet deep and was moving toward drinking water wells serving southeast Albuquerque.

The Air Force in January switched on a large new machine developed to suck fuel vapors out of the ground. But the Air Force also in December asked permission to abandon the next step in halting the contamination's spread, an ambitious pump-and-treat effort to suck contaminated water from the ground and clean it. Submitted in December, the Air Force proposal said the pump-and-treat plan was no longer needed to halt the spread of contamination because of test results that show the underground plume of potentially cancer-causing chemicals was "stable."

In its March 27 letter, the Environment Department disagreed. The most serious contaminant in the jet fuel, the chemical ethylene dibromide, "is not part of a stable plume." The Environmental Protection Agency has classified ethylene dibromide as "extremely toxic to humans."

Other contamination sites in the running for the title of the state's worst include the South Valley Superfund site, where industrial waste contaminated drinking water wells.

- This article appeared on page C1 of the Albuquerque Journal

Protest seeks Asarco demolition delay

By Lorena Figueroa \ El Paso Times El Paso Times

Posted:

ElpasoTimes.com

[>> Photos: Former employees protest Asarco demolition](#)

[>> Submit photos of the Asarco smokestacks](#)

A group of El Paso and Juárez residents came together on Thursday to call for a halt to the demolition of the Asarco smokestacks until more information related to environmental testing and monitoring is made public.

They also urged Asarco officials and Mexican and U.S. authorities to conduct additional tests to guarantee that tearing down the 825-foot and 612-foot Asarco stacks won't contaminate the soil and the groundwater in the area.

The smokestacks are set to come down between 6:30 and 7 a.m. April 13.

"Taking down the smokestacks doesn't mean that the risk of contamination is over," said El Pasoan Carlos Rodriguez, a former Asarco employee and member of the newly created Answers Wanted on Asarco Remediation and Environmental Assessment, or A.W.A.R.E.

Rodriguez was among 10 members of A.W.A.R.E. and Save the Stacks that gathered at the International Park at Border Marker No. 1 to call for a delay in the demolition. The group also announced a protest set for 4 p.m. Saturday at the same location.

They were joined by a dozen representatives from Colectivo Contra la Demolición de las Chimeneas de Asarco (People Against the Demolition of Asarco Smokestacks) and neighbors from the Ladrillera de Juárez neighborhood.

"We are the ones who live closer to Asarco, and yet nobody has taken the time to inform us what is going to happen once the stacks are down, or showed us an environmental impact test that proves there won't be any contamination," said José de Jesús Martínez, who said he has lived in the Ladrillera de Juárez neighborhood for more than 30 years.

The Ladrillera de Juárez is one of the Juárez neighborhoods closest to the Rio Grande and Asarco.

Martínez said that neighbors, especially children, suffered from rare diseases and cancer when Asarco was operating before it closed in 1999. Now neighbors are concerned about the contamination that might have been left behind.

Rodriguez noted that, according to the demolition plan, the smokestacks will fall toward an area where the production buildings used to sit, which is where most of the incineration of chemicals took place at Asarco.

Rodriguez, who worked at Asarco for 30 years until 1999, added that the smaller stack will fall directly in the bedding building area, where toxic chemicals were stored.

"When the stacks are imploded, this will shake the ground and who knows what and how this will affect the chemicals already in the ground, let alone the questionable material that remains in the stacks," he said.

From 1991 to 1998, the Asarco El Paso smelter illegally received and incinerated hazardous waste from Department of Defense weapons facilities in Utah and Colorado.

Documented violations resulted in a \$5.5 million fine from the Department of Justice.

Asarco Site Custodial Trustee Roberto Puga has said that, once the stacks are demolished, hazardous materials will be buried in a containment cell on Asarco property.

The Asarco trust has also done environmental impact tests which have been shared with local, state and federal Mexican authorities.

This week information in Spanish on the demolition and answers to questions people might have on the burial of the hazardous materials was posted at recastingthesmelter.com.

Director of Civil Protection Efrén Matamoros said Wednesday that the Environmental and Natural Resources Agency, or Semarnat, and the Environment Protection Office, or Profepa, reviewed Asarco's environmental tests and concluded that "the contamination levels are going to be safe in the impact area."

But Juan Carlos Martínez, one of the members of the collective, said those tests are not serious studies because they were not done by Mexican and U.S. environmental authorities.

Some A.W.A.R.E. members went on to allege the tests are based on Asarco's own testings in the 1990s.

The protesters criticized the secrecy in which environmental tests and plans of the demolition have been carried out, disregarding the community's opinion and not revealing them during a public hearing.

They point out that the majority of people who live closest to Asarco in Juárez do not have access to the Internet nor have a computer to read about the stacks' demolition plan in the trust's website.

Lorena Figueroa may be reached at lfigueroa@elpasotimes.com; 546-6129.

East El Paso community fights power plant

By Julian Aguilar The Texas Tribune | Posted: Sunday, April 7, 2013 6:00 pm

When Ralph Carrasco was considering adding a chimney to his new home in Far East El Paso County's Montana Vista subdivision in November, he got some startling news from his builder, and it was not about the estimated price of the project. The area's electric utility was looking to set up shop less than a half-mile from his house.

"Toward the end of the conversation, he said, 'Hey, have you heard they're going to build a power plant? Next to where you live?' " Carrasco said. "At the time, I didn't know anything."

Less than six months later, Carrasco is the director of Far East El Paso Citizens United, a group of about 200 residents opposed to El Paso Electric's plans to build a natural gas power plant near a colonia located on an unincorporated swath of land.

The utility says the facility is necessary to meet the needs of the growing city and county. It says it will use the latest technology to extract the cleanest fossil fuel available.

But residents fear that a range of air and water contaminants will have an impact on their community.

"We have several arguments against the power plant, one of them is the location," said Carrasco, whose group is getting legal help from Texas RioGrande Legal Aid. "Why build immediately next to residents and immediately behind massive fuel tanks? That's a big concern, in the middle of so many houses and people and schools."

Lawyers for the group said there were at least 7,000 residents in the area.

Henry Quintana, the director of public affairs for El Paso Electric, which serves far West Texas and southeastern New Mexico, said that the site was selected in 2010 in part for its proximity to infrastructure. He added that the utility had passed muster with all regulators, including the Texas Commission on Environmental Quality and the Environmental Protection Agency. The plant would supply power to 80,000 homes.

"We are meeting all regulations to build the plant, not just city regulations," Quintana said. "There are also national regulatory agencies and state regulatory agencies."

The issue has attracted the attention of lawmakers representing the area. State Rep. Mary González, D-Clint, said the site, which is close to fuel tanks used for another controversial project, the Magellan pipeline, is nestled within a community where people are powerless to stop its construction.

“This is one of the colonias that is still in one of the worst conditions, it still doesn’t have roads, it still doesn’t have natural gas,” González said. “That’s my concern. They have options, they are the only electric company in El Paso, and so what can they also be considering instead of this site where the community doesn’t want it?”

Quintana said the location was close to water, transmission lines and roads that the company needed. He said the company had surpassed requirements for the location of the fuel tanks.

“The recommendation is 250 feet,” he said, while the company has placed its 850 feet from the site. “We have gone beyond.”

But González wants to add oversight for the utility. She filed an amendment that would have required El Paso Electric to go through another layer of state approval to build the plant. The amendment was withdrawn, so González is drafting a stand-alone bill.

“When thinking about building these potentially hazardous sites, which communities are we putting them in?” she said. “And why do we think that’s OK? This has health hazards and this has other hazards already in a difficult place like a colonia. Are we just reinforcing a cycle of poverty?”

State Rep. Joe Pickett, D-El Paso, says he has heard from constituents.

“This is a big deal,” he said. “This isn’t a gas station or a Walmart or a high school. It’s a power plant.”

Nonetheless, he said, the Legislature was limited in what it could do.

“I imagine they were limited in their choices,” Pickett said of El Paso Electric. “I would just hope they treat their residents with respect and give them the information, but it’s going to be a tough one to stop.”

Carrasco said another source of frustration for his coalition is poor communication. He said that he learned about one of the Texas Commission on Environmental Quality’s public meetings on the plant by chance, and that the local news media had not been well informed.

Quintana said he has invited residents who live near the proposed site to view a similar project a month away from opening at the utility’s West Side plant, where he hopes some of the fears will be soothed.

In June, the environmental quality commission is to hold its third hearing, when Carrasco and Carbajal will state their case against the project. The commission will then decide if the utility can proceed.

“The concern with this permit is it is for a power plant, and even though it is a natural-gas-powered power plant, it’s still going to emit different contaminants,” Carbajal said. “It’s not a zero

-emission permit, and the concern that we have is that El Paso Electric and the State of Texas should be pushing for greater use of renewable energy. If this was a solar plant, my clients would not be contesting the permit.”

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Sofia Prouty - NBC News 18 hrs

Arkansas residents seek millions after Exxon crude oil spill

Two Arkansas residents filed a class action lawsuit against Exxon Mobil Friday, demanding to be compensated for damages after a crude oil pipeline ruptured the week before in their subdivision outside Little Rock, Ark.

Kathryn Chunn and Kimla Greene, residents of Ledrick Circle, filed the lawsuit in U.S. District Court on behalf of themselves and other affected residents and are seeking more than \$5 million in damages. According to the 16-page document, which was posted on the Arkansas Times website Friday, homeowners within 3,000 feet of the pipeline were impacted by the spill that occurred in Mayflower, Ark., a suburb 20 miles from Little Rock.

[Read the lawsuit \(.pdf\)](#)

According to the lawsuit, 19,000 barrels were spilled in what the residents are calling the "worst spill in Arkansas history." Exxon, however, **says the equivalent of 5,000 crude oil barrels were spilled.**

The lawsuit says the pipeline's capacity was increased by 50 percent in 2009 and that the line was not adequately maintained or inspected. The 65-year-old Pegasus pipeline transports crude oil from Canada between Illinois and Texas.

Exxon has not responded to the lawsuit but said in an online statement that it is paying for the cleanup and "will honor all valid claims."

In an online briefing Saturday, the company said the spill mostly affected the yards of six homes. The company says the water supply has not been tainted. Exxon also pointed to **air quality reports produced by the Environmental Protection Agency**, which show an increase in carbon monoxide in some areas around the spill, but no increases in other emissions.

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Arkansas Attorney General Dustin McDaniel launched an investigation last week into what caused the spill and the subsequent recovery efforts, and the investigation may be used as evidence for the plaintiffs. An Exxon spokeswoman told Reuters that the company will “cooperate fully” with any investigation.

Meantime, the 22 residents who were evacuated from their homes have not been able to return. State health authorities are still working on a plan for a safe return.

Mayflower, Ark., Chief of Police Bob Satkowski told Channel 7 News in Little Rock that those residents had to leave their homes because of health risks from the crude oil fumes and possible fires.

ExxonMobil initially downplayed environmental concerns, saying that the air quality didn't likely present a human health risk, “with the exception of high-pooling areas.”

EPA officials said the cleanup would be long and expensive, according to KARK. Exxon has since said it would pay for the cleanup.

The oil spill came at a bad time for crude oil public relations. Two days before the spill, Reuters reported that a train carrying crude oil derailed in Minnesota and spilled up to 30,000 gallons.

The week before, the Pipeline and Hazardous Materials Safety Administration recommended fining Exxon Mobil Pipeline Company \$1.7 million for how the company responded to a crude oil pipeline failure in the Yellowstone River in Montana.

The Mayflower, Ark. oil spill was more than 10 times more significant than the Montana spill, which leaked 1,509 barrels.

To put these numbers in perspective: The 1989 Exxon Valdez spill poured 260,000 to 750,000 gallons into Alaskan waters.

The 2010 Deep Water Horizon oil spill, the most significant oil spill in the U.S., leaked 4.9 million barrels into the Gulf Coast.

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Everything New Orleans

Sinkhole commission discusses public safety, long-term goals for Bayou Corne residents



By [Sheila V Kumar, NOLA.com | The Times-Picayune](#)

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on April 05, 2013 at 1:10 PM, updated April 05, 2013 at 4:14 PM

A 13-member committee comprised of industry experts and scientists from around the world held their first meeting Friday to discuss how the [Blue Ribbon Commission](#) is going to tackle a 13-acre sinkhole that has forced the evacuation of 350 residents of a rural bayou town in Assumption Parish.

The commission's mission is to ensure the long-term protection of the residents remaining in Bayou Corne and establish benchmarks for when evacuated residents can safely return to their homes.

Researchers, professors, and industry higher-ups from around the world either flew in or participated in the two-hour meeting via video conference call at a seminar held at LSU's Energy, Coastal and Environmental Building.

"We want to know with full confidence that we are being given the opinions of the best expert advice that we can have. We don't take it lightly. We want to know the truth," said [Assumption Parish Police Jury](#) President Marty Triche.

"Because at the end of the day, we take those opinions in your discussion to heart to make the decision... when people can return home," Triche added.

After introducing themselves, commission members spent most of the meeting listening to a summary presentation from Gary Hecox, a hydrologist and geographical information systems analyst from an energy infrastructure company based in Texas.

Hecox, who is also on the commission, said he had visited the sinkhole for four days at the end of last September to monitor the situation and never left. The sinkhole first appeared Aug. 3 and prompted [Gov. Bobby Jindal](#) to issue a state of emergency for the parish.

"My job on this is providing technical lead for evaluation of the problem. Working with the Department of Natural Resources on getting the data we need and basically providing technical guidance on working toward a solution for this," Hecox said.

The commission was hastily put together after Jindal met with executives from the Houston-based brine producer owning the cavern believed to have caused the sinkhole in Bayou Corne.

Jindal said March 13, after promising residents that [Texas Brine Co, LLC](#). would begin offering buyouts, that the commission would be part of a continued plan to evaluate the safety in the swamps surrounding the sinkhole.

"The Blue Ribbon Commission Will draw on experts from around the world to help guide leaders in Assumption Parish with specific benchmarks to protect the safety and lives in the Bayou Corne community," Jindal said when announced the commission's formation.

Commissioners will also fly in for a three-day workshop at the end of April or the beginning of May to observe the sinkhole and come up with a schedule for future progress meters.


"I can assure you the schedule will have to be very aggressive. We don't have years to study this. We have to get on with the program," Hecox said.

Hecox also stressed the reason the sinkhole has warranted so much interest is because the circumstances surrounding its formation were unprecedented.

Experts believe a Texas Brine brine cavern was drilled too close to the edge of the Napoleonville salt dome and the sidewall of salt dome collapsed. Sinkholes are usually formed when the underground roofs of salt caverns cave in, Hecox said.

"In the history of mankind there's never been anything like this," he said.

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News Headline: West Texas wind power transmission project nears completion | 

News Date: 4/5/2013

Outlet Full Name: Dallas Morning News

News Text: April 06--Eight years ago the Texas Legislature ordered the construction of more than 3,500 miles of high-voltage transmission lines connecting wind farms in western Texas with electricity-hungry cities to the east.

Designed to transmit enough electricity to power half of Texas in the spring months, the project is on schedule to finish by the end of the year. But with cost overruns and fewer wind generation projects than originally projected, the \$6.8 billion soon to be borne by ratepayers is again falling under criticism.

"The problem all along has been an overcapacity problem," said Geoffrey Gay, general counsel to the Texas Coalition for Affordable Power, which represents 150 cities and towns. "There aren't enough generation sources to make those lines efficient and worthwhile for the amount of money that has been spent on them."

Construction costs are estimated at almost 40 percent above the \$4.9 billion originally budgeted.

Kent Saathoff, executive adviser for the Electric Reliability Council of Texas, blamed the cost overruns on a spike in steel prices and longer routes for the lines because of difficulties in negotiating with landowners.

Further complicating matters, the transmission lines were built to carry loads of more than 18,000 megawatts, far beyond the generation capacity at the time, under the expectation that the project would accelerate wind farm creation in West Texas.

So far around 9,000 megawatts of wind generation capacity has come on line in the region, according to ERCOT.

West Texas and the Panhandle see some of the highest sustained winds in the country. In Amarillo winds average around 13 mph -- peaking in the summer. That's hard enough to cause a golf shot to fall woefully short or send a hat blowing down the street.

Leveling off

But between low wholesale electricity prices from the booming natural gas market and difficulty getting financing for wind farm projects, industry insiders and regulators agree

that the industry has leveled off since its boom years.

"I wouldn't say we're behind, because we more than met the goals the Legislature set on renewable energy," Saathoff said.

"But the amount of wind development has kind of slowed over the last few years. That's probably due to the general [economic] climate. It's hard to get financing, plus there's been some uncertainty over the [federal] production tax credit, and that's a big driver for the economics."

There's hope the new lines could spur another wind power boom.

Right now there is a bottleneck on the existing transmission lines, at times forcing wind farms around West Texas and the Panhandle not only to lower their prices but to pay the utilities to take their electricity.

"The federal tax credit is \$22 a megawatt-hour, but you have to get your electricity to the grid," said Jeff Clark, executive director of the Wind Coalition, an industry group representing wind generators in Texas and eight other states.

"There just isn't enough space on the lines, so it becomes a case of I undercut you and then you undercut me, and that's not competitive. ... We lose about \$500 million a year in unsold power and power sold under price."

\$6 addition to bills

In the meantime, ratepayers will be footing the bill. As the projects wrap up, the transmission companies are already getting rate increases approved by the Public Utility Commission, something that was agreed upon back when the project started.

That should eventually mean about \$6 extra per month for residential customers in Texas, according to the PUC.

As wind projects lag, other electricity generators are jumping in to take advantage of the new transmission capacity.

FGE Power, a Houston-based electricity company, announced plans last month to build a 726-megawatt natural gas plant 70 miles northeast of Midland.

Still, there is no shortage of optimism when it comes to wind power in Texas.

Earlier this year Google invested \$200 million in a 161-megawatt wind farm in the Panhandle, and advocates say they expect more deals once the lines are fully operational.

Already, wind companies have 20,000 megawatts worth of projects under study in Texas, according to ERCOT. And while history suggests maybe a quarter of those will actually be built, regulators and the industry itself are confident eventually generation will meet the capacity of the new lines.

"In a decade we're going to look back at the ... investment as one of the most visionary things we did," said Clark of the Wind Coalition. "Wind has reduced carbon emissions and lowered the price of electricity for customers. Maybe it wasn't enough, but we're thrilled."

Follow James Osborne on Twitter at [@osborneja](https://twitter.com/osborneja).

Mayor Nelda Martinez urges input on plan for BP settlement money

By David Sikes

Originally published 04:30 p.m., April 7, 2013

Updated 04:30 p.m., April 7, 2013

CORPUS CHRISTI — Mayor Nelda Martinez has scheduled a meeting to hear ideas on how to spend the anticipated windfall produced by the Deepwater Horizon lawsuit settlement.

The meeting is scheduled from 6-7:30 p.m. Wednesday at the Del Mar College Center for Economic Development, 3209 South Staples St.

The total payout by BP PLC and other responsible parties is unknown, but fines and settlement payments total more than \$6 billion so far, Martinez wrote in a news release. The trial is ongoing in New Orleans to determine additional penalties under the Clean Water Act.

Congress has called for public input through the RESTORE Act to decide how best to allocate funding for Gulf-related projects. Funds must be used to restore and protect natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, coastal wetlands, and the economy of the Gulf Coast region.

Projects could include water quality enhancements, habitat creation, protection or restoration, public infrastructure, tourism promotion and other projects along the coasts of Texas, Louisiana, Mississippi, Alabama and Florida.

The Mayor extends this invitation to participate to residents, elected officials, community organizations, neighborhood associations, businesses, government agencies, nonprofits, scientists, sportsmen, students, teachers, and interested stakeholders.



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Mother Jones

Reporters Say Exxon Is Impeding Spill Coverage in Arkansas

Several reporters say they have been threatened with arrest in the course of their work on the Pegasus spill.

By [Kate Sheppard](#) | Fri Apr. 5, 2013 3:08 PM PDT

Reporters covering the oil spill from ExxonMobil's Pegasus pipeline in Mayflower, Arkansas, are reporting that they've been blocked from the site and threatened with arrest.

On Friday morning, [Inside Climate News reported](#) [1] that an Exxon spokesperson told reporter Lisa Song that she could be "arrested for criminal trespass" when she went to the command center to try to find representatives from the EPA and the Department of Transportation. On Friday afternoon, I spoke to the news director from the local NPR affiliate who said he, too, had been threatened with arrest while trying to cover the spill.

Michael Hibblen, who reports for the [radio station KUAR](#) [2], went to the spill site on Wednesday with state Attorney General Dustin McDaniel. McDaniel was in the area to inspect the site and hold a news conference, and Hibblen and a small group of reporters were following him to report on the visit. Upon arrival, representatives from the county sheriff's office, which is running security at the site, directed the reporters to a boundary point 10 feet away that they should not pass. The reporters agreed to comply. But the tone shifted abruptly, Hibblen told *Mother Jones* on Friday:

It was less than 90 seconds before suddenly the sheriff's deputies started yelling that all the media people had to leave, that ExxonMobil had decided they don't want you here, you have to leave. They even referred to it as "Exxon Media"...Some reporters were like, "Who made this decision? Who can we talk to?" The sheriff's deputies started saying, "You have to leave. You have 10 seconds to leave or you will be arrested."

Hibblen says he didn't really have time to deal with getting arrested, since he needed to file his report on the visit for both the local affiliate and national NPR. (You can [hear his piece on the AG's visit here](#) [3].) KUAR has also [reported on](#) [4] Exxon blocking reporters' access to the spill site.



Source: Daily Environment Report: News Archive > 2013 > April > 04/08/2013 > Special Report > Energy: Moniz's Commitment to Renewables Questioned in Light of Energy Industry Ties

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Energy

Moniz's Commitment to Renewables Questioned in Light of Energy Industry Ties



By Ari Natter

Ernest J. Moniz, President Obama's nominee for energy secretary, served as a consultant to oil company BP and has other ties to the energy industry, leading some environmental advocates and others to question his commitment to renewable energy.

In addition to being a paid consultant to BP from 2005 to 2012, Moniz is on the board of trustees and advisory council of the King Abdullah Petroleum Studies and Research Center, a nonprofit organization in Saudi Arabia, and has been an adviser and member of the board of directors for the utility-funded Electric Power Research Institute, according to his financial disclosure forms.

Moniz is on the board of directors for ICF International, a consulting firm that includes energy and environmental issues in its portfolio, and has done work for venture capital group NGP Energy Technology Partners and the energy consulting firm IHS CERA, formerly known as Cambridge Energy Research Associates, according to the forms.

Moniz also served from 2002 to 2004 as a paid member of an advisory board for the United States Enrichment Corp., a Bethesda, Md.-based uranium enrichment company that has a \$2 billion loan guarantee application pending at the Energy Department, according to Paul Jacobson, a company spokesman.

Moniz, a previous Energy Department undersecretary who was nominated March 4, is widely expected to be confirmed by the Senate. But questions about his support for renewables are expected to arise during his confirmation hearing by the Senate Energy and Natural Resources Committee, scheduled for April 9 (43 DEN A-22, 3/5/13).

Interest Groups Critical

Moniz's positions, as well as his support for the use of natural gas and hydraulic fracturing, or fracking, in his current role as head of the Massachusetts Institute of Technology's Energy Initiative, have given environmental advocates and others pause about the nominee and the role he would play in supporting the renewable energy industry as leader of the Energy Department.

"We just don't think he is the right guy for the Department of Energy at this time," Tyson Slocum, director of the energy program for the activist group Public Citizen, said in an interview. "I just wish Obama had picked somebody that had more of a clear commitment to renewables and efficiency. His focus has been on nuclear power and fossil fuel."

"Is he indifferent to renewable energy? No, but will he be a real strategic advocate of it? I don't think so," said Scott Sklar, who formerly headed the Solar Energy Industries Association and currently leads the strategic technology firm The Stella Group, Ltd. "I think he will try to be all things to all people, but not a lot of the practical things that will drive some of the 21st century technologies forward."

Backing of Fracking Draws Fire

"Moniz has had an all-of-the-above career and all-the-abovers think fracking is a great thing with certain caveats," Dave Hamilton, director of the Sierra Club's Beyond Coal Campaign, said in an

interview. "Our take is all-of-the-above is more of the same."

Other organizations, such as the watchdog group Food & Water Watch, have said that an appointment of Moniz as energy secretary would be a "nail in the coffin" for Obama's promise in his January inaugural address to act on climate change.

"His appointment to the DOE could set renewable energy development back years," Wenonah Hauter, Food & Water Watch's executive director, said in a statement issued prior to Moniz's nomination. "If we pursue our fossil fuel addiction by expanding fracking, which Mr. Moniz will likely advocate, the oil and gas industry will thrive while true energy efficiency and renewable solutions languish."

The White House did not respond to requests for comment, and Moniz, a nuclear physicist who has served on the faculty at MIT since 1973, declined to comment.

Moniz, in a March 8 letter to ethics officials at the Energy Department, said he will resign from all current positions and take other actions to avoid any conflicts of interest if confirmed as secretary.

Plenty of Support for Nomination

Moniz has plenty of support both inside and outside the renewable energy industry, including from P.J. Dougherty, who worked with Moniz as deputy chief of staff in the Energy Department's Office of Energy Efficiency and Renewable Energy during the Clinton administration.

"I think he really was an all-of-the-above kind of guy," said Dougherty, who now works as vice-president for lobbying firm Strategic Marketing Innovations. "I didn't remember him being an ideologue. I remember him being a pretty pragmatic guy, looking at the facts, [asking,] what are the costs of energy?"

"If they are saying he came out in favor of fracking and natural gas ... yeah, so what? That's a national resource and we need them all," Dougherty said in an interview. "Renewables are just part of the mix, that is a given. I don't think any secretary is going to come in and say we are going to make a commitment to not using fossil fuels in 50 years."

Many have noted that Moniz's support for natural gas mirrors that of Obama. The president has called for the country to capitalize on shale gas as a key component of an all-of-the-above energy strategy. But that support has rankled some advocates for renewable energy and the environment who say electricity production from inexpensive natural gas is making it harder for renewables, which generally produce power that is more expensive, to compete.

In addition, not all of his previous work has been in the traditional fuel sector. He serves as a member of General Electric's "Ecomagination" advisory board, which in addition to natural gas, does work on technologies ranging from wind power to energy efficiency, and ICF's energy portfolio includes renewables and smart grid.

"We must continue to invest in research in carbon-free sources—renewables, nuclear, and CCS for both coal and natural gas," Moniz said in written testimony before the Senate Energy and Natural Resources Committee in July 2011.

Natural Gas Has 'Crucial Role.'

Moniz is founding director and head of the Massachusetts Institute of Technology's Energy Initiative. The initiative, which was created in 2006 to conduct global energy research, has received funding from major energy companies including Shell, Hess, and BP, as well as funding from philanthropic and government sources.

In 2010, Moniz addressed the role he thought natural gas should play while introducing an interim report by the MIT Energy Initiative on the future of the fuel.

"Natural gas truly is a bridge to a low-carbon future," Moniz said. "In the very long run, very tight carbon constraints will likely phase out natural gas power generation in favor of zero-carbon or extremely low-carbon energy sources such as renewables, nuclear power or natural gas with carbon capture and storage," Moniz said. "For the next several decades, however, natural gas will play a crucial role in enabling very substantial reductions in carbon emissions."

The 2011 final report, *The Future of Natural Gas*, said, among other findings, that the environmental risks of fracking were "challenging, but manageable."

Failure to Disclose Industry Ties?

Public Accountability Initiative, a nonprofit group that has been critical of fracking and that received funding from a group, the Park Foundation, that opposes fracking, said in a March report that the *The Future of Natural Gas* failed to disclose that study authors had "significant ties" to the oil and gas industry.

Specifically, the Public Accountability Initiative said, study group co-chair Anthony Meggs, joined gas exploration and production company Talisman Energy as a senior adviser one month prior to the release of the report, in May 2011.

In addition, study group member and MIT professor John Deutch, was on the board of liquefied natural gas company Cheniere Energy, according to the Public Accountability Initiative.

The group also said the MIT study, which was presented as being independent, was funded by entities with ties to the natural gas industry, such as the American Clean Skies Foundation, a group that has received funding from Chesapeake Energy, the country's second largest natural gas producer.

The Public Accountability Initiative report also said Moniz has been paid more than \$300,000 since 2011 to serve on the board of the Fairfax, Va.-based consulting firm ICF International, whose clients include oil and gas groups such as America's Natural Gas Alliance, as well as the Environmental Protection Agency.

Vicki Ekstrom, a spokeswoman for the MIT Energy Initiative, said Moniz disclosed to the university all personal associations and financial relationships "consistent with MIT policy" and that administrative staff at MIT deemed no conflict of interest existed in relation to the natural gas study.

"The PAI report mischaracterizes the purpose of the entire MIT study, which is not a study of 'fracking' as alleged by PAI but is instead a comprehensive examination of the role of natural gas in a carbon-constrained environment," Ekstrom said in an email to BNA. "The MIT study's finding and recommendations represent a consensus of the 19-member MIT study team, reached through rigorous analysis, discussion, and debate."

In addition, Ekstrom said that more than two-thirds of the research projects supported by outside groups at the MIT Energy Initiative are in "no or low-carbon research" technologies such as renewables and energy efficiency.

Energy Realpolitik Possible

Not everyone thinks Moniz's pro-natural gas position would be bad for the renewable energy industry or represent a large departure from current Obama administration energy policy.

ClearView Energy Partners, a Washington-based consulting firm, said that while Moniz likely has received "some assurance" from the White House that he will have direct influence over energy policy, he is also an "experienced Washington player who understands the political overlay of serving 'at the pleasure of the president.' "

"Dr. Moniz seems well-positioned for an energy policy Realpolitik that accommodates fossil energy opportunities without abandoning the green agenda entirely," ClearView said in a March 4 research note. "We interpret the Moniz nomination as another administration acceptance of domestic natural gas (and oil) development, but not a wholesale endorsement of expanded production or exports."

Lisa Frantzis, managing director for Navigant Consulting's energy practice, said in an interview that Moniz is likely to appreciate the role that natural gas can play in helping renewables deal with intermittence issues.

Praise for Political Acumen

"I wouldn't position him as a pro-renewable advocate, I would position him as someone who is kind of visionary, who will look at the whole energy landscape and see how renewables can fit into that landscape and understand the role natural gas will play in our future," Frantzis said.

In addition, supporters of Moniz note that his previous experience dealing with Congress—which his predecessor, Steven Chu, was criticized for lacking—will come in handy when representing the department before congressional appropriators and other lawmakers.

Moniz served as Energy Department undersecretary from October 1997 to January 2001, as well as

associate director for science in the Office of Science and Technology Policy in the Executive Office of the President from 1995 to 1997.

"Dr. Moniz is well respected, not just in the global scientific community, but also amongst industry leaders and across the political spectrum, which is critical to the DOE asserting itself in a policy leadership role," Andy Karsner, who served as assistant secretary for energy efficiency and renewable energy during the George W. Bush administration, said in an email. "I believe he will ... offer strong, experienced leadership at a challenging time for the Energy Department."

For More Information

Ernest Moniz's financial disclosure forms are available at <http://op.bna.com/env.nsf/r?Open=avio-96gp8f>.

Moniz's March 8 letter to the Energy Department's ethics officials is available at <http://op.bna.com/env.nsf/r?Open=avio-96gp7h>.

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Daily News

EPA Weighs Research Options For Potential Coarse PM NAAQS Revision

Posted: April 8, 2013

EPA is assessing research options to address lingering scientific uncertainties over coarse particulate matter (PM₁₀) emissions that could inform a potential revision to the agency's PM₁₀ national ambient air quality standard (NAAQS), after EPA last year decided to retain its PM₁₀ standard first set in 1987 in part due to the data uncertainties.

Scott Jenkins, a scientist within EPA's Office of Air Quality Planning and Standards, said on a March 18 webinar that "there's a conversation to be had" about the types of research that should be completed for the next Clean Air Act-mandated five year review of the PM NAAQS in order to address scientific uncertainties and data gaps.

EPA is yet to set a schedule for the next PM NAAQS review, but the agency typically tries to complete Integrated Scientific Assessments (ISAs) that review new scientific information on criteria pollutants about three or four years after completing a NAAQS. The ISAs then inform a policy paper outlining options for revising the standards.

EPA in a December rulemaking decided to retain the 1987 PM₁₀ standard of 150 micrograms per cubic meter (ug/m³), while tightening its fine particulate matter (PM_{2.5}) standard from 15 ug/m³ to 12 ug/m³. [In the rule](#), EPA left out an earlier proposal made in 2006 to replace the PM₁₀ standard with a new NAAQS for the coarse fraction of coarse particulate matter (PM_{10-2.5}). After being proposed in 2006, stakeholders raised concerns the new approach would not differentiate between the toxicities of rural and urban PM_{10-2.5} and their differing health effects, along with other uncertainties.

The agency first considered setting a new PM_{10-2.5} standard because it has different health impacts than PM₁₀, which includes both PM_{10-2.5} and PM_{2.5}. But a lack of adequate data is complicating the effort.

Among the scientific issues, Jenkins said, is that relatively few studies have assessed the health effects of PM_{10-2.5} and that there is relatively limited spatial coverage for air quality monitors that can detect PM_{10-2.5}.

Another major uncertainty is how the composition of particulate matter affects toxicity. PM₁₀ includes dust, soot, brake dust, airborne sea salt, mold spores and diesel and refinery emissions, meaning there could potentially be large differences in toxicity. Electric utilities have said EPA needs to better account for the composition of particulate matter when setting NAAQS and regulating affected emissions sources, with some power companies claiming that particulate matter from oil refineries and other sources is more toxic than particulate matter from utilities.

To address the uncertainty, EPA has funded some research -- presented during the webinar -- launched in 2007 through EPA's Science To Achieve Results (STAR) grants, including monitoring PM_{10-2.5} in urban and rural locations, in different U.S. cities, over a range of time periods and across a number of locations in a given city.

The research also covered specific challenges with particulate matter monitoring equipment and a review of recent EPA research projects that expose human research subjects to particulate matter emissions.

Tim Watkins, deputy national program director for Air Climate and Energy Research at EPA's Office of Research and Development, said that the agency is looking at the results of the EPA-backed research "to move the science forward and to inform future PM NAAQS reviews." The PM₁₀ research, he said, will likely end up being incorporated into agency documents that support the NAAQS review process, such as the ISAs.

Issues likely to be important in the next review of the PM10 NAAQS include the "overall strength of the scientific evidence for health effects attributable to coarse PM mass and/or components" and the "extent to which new evidence addresses important uncertainties identified in the 2012 review" of the PM10 standard, Jenkins said in his presentation.

Those important scientific uncertainties, according to his presentation, include the potential for co-pollutants within PM10 to lead to confounding, exposure error, at what PM10-2.5 concentrations health effects are reported, and how PM10-2.5 composition affects toxicity.

Toxicity Research

Scientists speaking during the webinar reported that differences where particulate matter was collected had a major influence on its toxicity. EPA scientist Robert Devlin, who runs human testing experiments in Research Triangle Park, NC, that expose subjects to various types of pollution, said recent research has found that the potency of particulate matter varies "very much" depending on where the particulate matter comes from.

"It's not just the size fraction that matters, it's the chemical compositions," Devlin said. "Different chemical compositions will get different health results."

New York University researcher Terry Gordon echoed that point, saying that in his studies of particulate matter in rural and urban areas, he found particulate size and source location "don't matter as much as composition." Gordon's \$1.2 million STAR grant measured the toxicity of urban and rural PM10 both *in vitro* and *in vivo*.

Researchers also highlighted some of the potential difficulties of tightening air standards for coarse particulate matter, for example, that while improved vehicle technology is controlling vehicle exhaust, controlling major particulate matter sources such as road dust will be difficult.

"Road dust will be increasingly important, because while we're doing a better job with tailpipe emissions, it's harder to control road dust," said Constantinos Sioutas, a professor at the University of Southern California.

Sioutas' research, funded through a \$1.1 million STAR grant and conducted in multiple locations across Southern California -- much of which has been designated nonattainment for the PM10 and PM2.5 standards -- also found relatively low correlations, and sometimes even reverse correlations, between indoor and outdoor particulate matter concentrations. This finding, he said, could mean "outdoor coarse data could be somewhat irrelevant" for understanding indoor particulate matter concentrations. -- Chris Knight (cknight@iwnews.com)

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